

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

AMIR A. SHAH, et al.,

*Defendants.*

No. 09-00141-01/05-CR-W-HFS

**MOTION FOR LEAVE TO FILE OUT OF TIME DEFENDANTS  
AMIR SHAH, OSMAN SHAH, and I2O, INC.'S MOTION TO DISMISS  
COUNTS TWO THROUGH SIXTEEN OF THE INDICTMENT, OR, IN THE  
ALTERNATIVE FOR A BILL OF PARTICULARS**

Defendants Amir A. Shah, Osman A. Shah and I2O, Inc. move this Court to grant them leave to file their "Motion to Dismiss Counts Two through Sixteen of the Indictment, or, in the Alternative, for a Bill of Particulars," and its supporting memorandum.

In support of this motion for leave, defendants state that

1. The undersigned counsel was retained in December 2009 to replace their previous counsel;
2. Subsequent thereto, the government produced a second wave of discovery that was voluminous;
3. As a result, defendants new counsel required sufficient time to review the discovery and determine what pretrial motions they deemed appropriate;
4. Defendants previously sought to modify the scheduling order in this case, including the date by which pretrial motions were to be filed, and were advised by the Court to file a motion for leave to file any such motion out of time;
5. The Court recently granted all defendants' motion to continue the trial and set trial to begin on September 20, 2010.

Therefore, there is sufficient time between now and the September 20, 2010 trial date for the Court to fully and adequately consider defendants' proffered motions, and the filing of these motions will not delay the proceedings herein. Moreover, justice will be served by the Court considering and ruling upon the proffered motions.

WHEREFORE, defendants Amir A. Shah, Osmaan A. Shah and I2O, Inc. move this Court for its Order granting them leave to file their "Motion to Dismiss Counts Two through Sixteen of the Indictment, or, in the Alternative, for a Bill of Particulars" out of time.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL LLP

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 9<sup>th</sup> day of April, 2010, the above and foregoing was electronically filed with the Court using the CM/ECF system, which sent email notification of such filing to all CM/ECF participants in this case and a copy was mailed via U.S. Mail, to all non CM/ECF participants.

/s/ Curtis E. Woods